

REMARKS

Claims 10, 11 and 13-25 are pending after amendment herein. All of the claims were rejected under Section 102 as anticipated by Pou (U.S. 2005/0004873). The claims are amended to address errors of an apparent nature and to more fully distinguish over the prior art. Reconsideration is requested in view of the amendment to claim 10 and the following remarks.

The rejection under Section 102 of claim 10 (as examined) did not identify every recited feature. For example, the license database of claim 10 (as examined) includes both at least one software module and license information pertaining to the module. The "license database" described at par [0010] of Pou is not disclosed as including applicants' recited software module. It also appears that the rejection reads the referenced "user device" as applicants' claimed switching device, although there is no basis for such equivalence. As a third example, with respect to citation of par [0014] in Pou, there is no disclosure of a portable data medium. Rather, the cited paragraph refers to receiving a data file on the user device. It is only the applicants who teach (as now recited)

initiating an interaction between the license database and the portable data medium ... to determine whether the storage device and the portable data medium each include matching hardware identification information ...

Furthermore, the claim is amended to also require an interaction with a cryptographic algorithm. Reference made to par [0059] of Pou does not meet the terms of the claim recitation, i.e., for interaction with a portable data medium.

Numerous other features now further distinguish the invention over the prior art. For example, claim 10 requires determining whether the storage device and the portable data medium each include matching hardware identification information and "next transmitting determined matching hardware identification information and license information pertaining to at least one software module ... to a license manager ..."

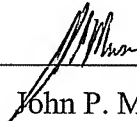
Conclusion

The claims as now presented more fully define novel and non-obvious subject matter. Allowance of the application is requested. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16(c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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